

Foster, Denise

Subject: FW: GR 12.1 - Comments on proposed amendments

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To: AOC DL - Rules Comments

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I've spent a considerable amount of time over the past several months trying to figure out what the WSBA hopes to accomplish by this the rule change. The timing of this proposed amendment is rather suspicious as it was discussed by the WSBA Board of Governors shortly after the members' dues referendum passed and a discussion occurred in an online Town Meeting (since removed from the Live Chat Transcript) about the Supreme Court's authority to reject WSBA dues increases.

Does this phrase "Establish the amount of all license... fees" mean that the Referendum Process in the WSBA by-laws, Section VIII, **cannot** be used to reject a WSBA decision to increase the license fees? Prior to making a decision on whether to adopt or reject this proposed rule change the WSBA should be required to tell the Court and the WSBA membership what they actually intend by this proposal.

If all the Supreme Court can do is modify the license fee if it is not "reasonable" will that give the Court the authority to reject license fee increases if they violate the members' referendum? Or if the WSBA continues to imposes a license fee of \$200.00 on inactive members, rather than the \$2.00 fee specifically set forth in RCW 2.48.140. What authority will the Court really retain?

If the Court is inclined to adopt this rule change, (which I certainly hope it does not) I would add the following sentence: **"All license fees must be consistent with RCW 2.48.130 and RCW 2.48.140 and not impede the members of the Washington State Bar Association from exercising their referenda rights."**

I appreciate the opportunity to comment.

Carol Smith-Merkulov